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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/781,019

02/18/2004

Ryuichi Nagae

1001-030

2837

26272

7590

11/30/2004

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EXAMINER

SMITH, ARTHUR A

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/781,019

Applicant(s)

NAGAE, RYUICHI

Examiner

Arthur A Smith

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/18/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Yasuda (JP 2001-324749), supplied by applicant.

In reference to claim 1, Yasuda discloses a camera comprising: an image-taking lens barrel which performs an operation in a collapse region and performs a zooming operation in an image-taking region, paragraph 11; a view finder optical system including a movable lens unit, paragraph 34; and a view finder driving member having a cam which drives the movable lens unit, wherein the image-taking lens barrel operates interlocked with the view finder driving member in the image-taking region, and the interlock between the image-taking lens barrel and the view finder driving member is released in the collapse region, paragraph 59.

In reference to claim 2, Yasuda discloses wherein the image-taking region, the interlock between the image-taking lens barrel and the view finder driving member is released in a first section on the collapse region side and the image-taking lens barrel

operates interlocked with the view finder driving member in a second section other than the first section, paragraph 59 and figs. 16-18.

In reference to claim 3, Yasuda discloses wherein the view finder driving member operates interlocked with the image-taking lens barrel by the engagement with a member, ref. 34e, constituting the image-taking lens barrel, and when the interlock between the view finder driving member and the image-taking lens barrel is released by releasing the engagement, see figs. 16 and 17.

In reference to claim 4, Yasuda discloses wherein the view finder driving member rotates along the circumference of the image-taking lens barrel, paragraph 59.

In reference to claim 5, Yasuda discloses the view finder driving member moves within a maximum width in the diameter direction of the image-taking lens barrel, figs. 16-18.

In reference to claims 6-9, Yasuda discloses a camera comprising: an image-taking lens barrel which performs an operation between a collapse position (fig. 16) and a first zoom position (fig. 17), and performs a zoom operation between the first position to a second position (fig. 18), a view finder optical system whose angle of view is changed in accordance with the zoom operation, wherein, during the zoom operation of the image-taking lens barrel from the first zoom position toward the second zoom operation, the change of angle of view of the view finder operation system starts from an intermediate position between the first and second zoom position, paragraph 59.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Onda (US 5923907) discloses a zoom finder unit operated in conjunction with the movement of a cylindrical lens barrel.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur A Smith whose telephone number is (571) 272 2129. The examiner can normally be reached on Monday - Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (572) 272 2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Arthur A. Smith  
November 23, 2004